

TITLE 17—COPYRIGHTS

This title was enacted by act July 30, 1947, ch. 391, 61 Stat. 652, and was revised in its entirety by Pub. L. 94-553, title I, § 101, Oct. 19, 1976, 90 Stat. 2541

TITLE REFERRED TO IN OTHER SECTIONS

This title is referred to in title 11 section 101; title 18 section 2319; title 19 section 1337; title 20 sections 1125a, 2992; title 26 section 543; title 47 sections 542, 544, 605.

CHAPTER 1—SUBJECT MATTER AND SCOPE OF COPYRIGHT

- Sec.
106A. Rights of certain authors to attribution and integrity.
120. Scope of exclusive rights in architectural works.

AMENDMENTS

1990—Pub. L. 101-650, title VI, § 603(b), title VII, § 704(b)(1), Dec. 1, 1990, 104 Stat. 5130, 5134, added items 106A and 120.

§ 101. Definitions

As used in this title, the following terms and their variant forms mean the following:

An “anonymous work” is a work on the copies or phonorecords of which no natural person is identified as author.

An “architectural work” is the design of a building as embodied in any tangible medium of expression, including a building, architectural plans, or drawings. The work includes the overall form as well as the arrangement and composition of spaces and elements in the design, but does not include individual standard features.

“Audiovisual works” are works that consist of a series of related images which are intrinsically intended to be shown by the use of machines, or devices such as projectors, viewers, or electronic equipment, together with accompanying sounds, if any, regardless of the nature of the material objects, such as films or tapes, in which the works are embodied.

The “Berne Convention” is the Convention for the Protection of Literary and Artistic Works, signed at Berne, Switzerland, on September 9, 1886, and all acts, protocols, and revisions thereto.

A work is a “Berne Convention work” if—

[See main edition for text of (1) and (2)]

(3) in the case of an audiovisual work—

[See main edition for text of (A)]

(B) if one or more of the authors is an individual, that author is domiciled, or has his or her habitual residence in, a nation adhering to the Berne Convention;

(4) in the case of a pictorial, graphic, or sculptural work that is incorporated in a building or other structure, the building or structure is located in a nation adhering to the Berne Convention; or

(5) in the case of an architectural work embodied in a building, such building is erected in a country adhering to the Berne Convention.

For purposes of paragraph (1), an author who is domiciled in or has his or her habitual residence in, a nation adhering to the Berne Convention is considered to be a national of that nation. For purposes of paragraph (2), a work is considered to have been simultaneously published in two or more nations if its dates of publication are within 30 days of one another.

[See main edition for text of undesignated intervening pars.]

The author’s “widow” or “widower” is the author’s surviving spouse under the law of the author’s domicile at the time of his or her death, whether or not the spouse has later remarried.

A “work of visual art” is—

(1) a painting, drawing, print, or sculpture, existing in a single copy, in a limited edition of 200 copies or fewer that are signed and consecutively numbered by the author, or, in the case of a sculpture, in multiple cast, carved, or fabricated sculptures of 200 or fewer that are consecutively numbered by the author and bear the signature or other identifying mark of the author; or

(2) a still photographic image produced for exhibition purposes only, existing in a single copy that is signed by the author, or in a limited edition of 200 copies or fewer that are signed and consecutively numbered by the author.

A work of visual art does not include—

(A)(i) any poster, map, globe, chart, technical drawing, diagram, model, applied art, motion picture or other audiovisual work, book, magazine, newspaper, periodical, data base, electronic information service, electronic publication, or similar publication;

(ii) any merchandising item or advertising, promotional, descriptive, covering, or packaging material or container;

- (iii) any portion or part of any item described in clause (i) or (ii);
- (B) any work made for hire; or
- (C) any work not subject to copyright protection under this title.

[See main edition for text of final undesignated pars.]

(As amended Pub. L. 101-650, title VI, § 602, title VII, § 702, Dec. 1, 1990, 104 Stat. 5128, 5133.)

AMENDMENTS

1990—Pub. L. 101-650, § 702(a), inserted definition of term “architectural work”.

Pub. L. 101-650, § 702(b), in definition of term “Berne Convention work” added par. (5).

Pub. L. 101-650, § 602, inserted definition of term “work of visual art”.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by section 602 of Pub. L. 101-650 effective 6 months after Dec. 1, 1990, see section 610 of Pub. L. 101-650, set out as an Effective Date note under section 106A of this title.

Section 706 of title VII of Pub. L. 101-650 provided that: “The amendments made by this title [enacting section 120 of this title and amending this section and sections 102, 106, and 301 of this title], apply to—

“(1) any architectural work created on or after the date of the enactment of this Act (Dec. 1, 1990); and

“(2) any architectural work that, on the date of the enactment of this Act, is unconstructed and embodied in unpublished plans or drawings, except that protection for such architectural work under title 17, United States Code, by virtue of the amendments made by this title, shall terminate on December 31, 2002, unless the work is constructed by that date.”

SHORT TITLE OF 1990 AMENDMENTS

Section 601 of title VI of Pub. L. 101-650 provided that: “This title [enacting section 106A of this title, amending this section and sections 107, 113, 301, 411, 412, 501, and 506 of this title, and enacting provisions set out as notes under this section and section 106A of this title] may be cited as the ‘Visual Artists Rights Act of 1990.’”

Section 701 of title VII of Pub. L. 101-650 provided that: “This title [enacting section 120 of this title, amending this section and sections 102, 106, and 301 of this title, and enacting provisions set out as a note above] may be cited as the ‘Architectural Works Copyright Protection Act.’”

Section 801 of title VIII of Pub. L. 101-650 provided that: “This title [amending section 109 of this title and enacting provisions set out as notes under sections 109 and 205 of this title] may be cited as the ‘Computer Software Rental Amendments Act of 1990.’”

Pub. L. 101-553, § 1, Nov. 15, 1990, 104 Stat. 2749, provided that: “This Act [enacting section 511 of this title, amending sections 501, 910, and 911 of this title, and enacting provisions set out as a note under section 501 of this title] may be cited as the ‘Copyright Remedy Clarification Act.’”

Pub. L. 101-319, § 1, July 3, 1990, 104 Stat. 290, provided that: “This Act [amending sections 701 and 802 of this title and sections 5315 and 5316 of Title 5, Government Organization and Employees, and enacting provisions set out as a note under section 701 of this title] may be cited as the ‘Copyright Royalty Tribunal Reform and Miscellaneous Pay Act of 1989.’”

Pub. L. 101-318, § 1, July 3, 1990, 104 Stat. 287, provided that: “This Act [amending sections 106, 111, 704, 708, 801, and 804 of this title and enacting provisions set out as notes under sections 106, 111, 708, and 804 of this title] may be cited as the ‘Copyright Fees and Technical Amendments Act of 1989.’”

FIRST AMENDMENT APPLICATION

Section 609 of title VI of Pub. L. 101-650 provided that: “This title [see Short Title of 1990 Amendments note above] does not authorize any governmental entity to take any action or enforce restrictions prohibited by the First Amendment to the United States Constitution.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 106A of this title; title 18 sections 2318, 2319.

§ 102. Subject matter of copyright: In general

(a) Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories:

[See main edition for text of (1) to (5)]

- (6) motion pictures and other audiovisual works;
- (7) sound recordings; and
- (8) architectural works.

[See main edition for text of (b)]

(As amended Pub. L. 101-650, title VII, § 703, Dec. 1, 1990, 104 Stat. 5133.)

AMENDMENTS

1990—Subsec. (a)(8). Pub. L. 101-650 added par. (8).

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-650 applicable to any architectural work created on or after Dec. 1, 1990, and any architectural work, that, on Dec. 1, 1990, is unconstructed and embodied in unpublished plans or drawings, except that protection for such architectural work under this title terminates on Dec. 31, 2002, unless the work is constructed by that date, see section 706 of Pub. L. 101-650, set out as a note under section 101 of this title.

§ 104. Subject matter of copyright: National origin

PARTICULAR PROCLAMATIONS, TREATIES AND CONVENTIONS ESTABLISHING COPYRIGHT RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND OTHER COUNTRIES

The following is based on *Treaties in Force*, as of January 1, 1992, published by the Department of State:

By virtue of Presidential proclamations, treaties, and conventions, the United States has established copyright relations with various other countries. This appendix is an attempt to present a complete and annotated list of those countries. Treaties and conventions on the subject of copyright relations are also included in the preceding pages under appropriate country or subject headings.

Proclamations by the President of the United States extending copyright protection upon compliance with the provisions of the United States copyright law, to the works of foreign authors prior to July 1, 1909, were issued pursuant to the Act of March 3, 1891 (26 Stat. 1106) and those issued subsequent to July 1, 1909, were issued under the provisions of the Act of March 4, 1909 (35 Stat. 1075), as amended by the Act of December 18, 1919 (41 Stat. 368) and the Act of September 25, 1941 (55 Stat. 732). The Act of March 4, 1909, as amended, became Title 17 of the United

States Code when it was codified and enacted into positive law by the Act of July 30, 1947 (61 Stat. 652). Title 17 of the U.S. Code was completely revised by the Act of October 19, 1976 (Public Law 94-553, 90 Stat. 2541), which became fully effective on January 1, 1978. A number of the proclamations were preceded or accompanied by exchanges of diplomatic notes which served as the basis for their issuance. Such exchanges of notes, if printed in the official pamphlet series, may be included in the preceding pages under appropriate country and subject heading.

The period for compliance with the conditions and formalities prescribed by the copyright law was extended by proclamation with respect to certain works in the case of a number of countries because of the disruption or suspension of facilities essential for such compliance during World War I and World War II. In the case of World War I, this period for compliance was extended by proclamations issued under the Act of December 18, 1919 (41 Stat. 368) to fifteen months after the proclamation, as to works published after August 1, 1914, and before the proclamation of peace. In the case of World War II, this period was extended by proclamations issued under the Act of September 25, 1941 (55 Stat. 732) until such time as terminated or suspended, either by the terms of the proclamation itself or by the issuance of a subsequent proclamation. A number of the proclamations issued under the 1919 Act and all of the proclamations issued under the 1941 Act refer to rights previously granted.

KEY TO SYMBOLS

PROCLAMATIONS

- P Proclamation issued pursuant to the Act of March 3, 1891, the Act of March 4, 1909, and as amended, or Title 17 of the United States Code.
- Pm Proclamation including mechanical reproduction rights for musical works under the United States copyright law.
- Px Proclamation providing an extension of time under the Act of December 18, 1919, for compliance with the conditions and formalities prescribed by the United States copyright law.
- Pmx Proclamation specifically including provisions similar to those contained in both "Pm" and "Px" proclamations.
- Pxx Proclamation providing an extension of time under the Act of September 25, 1941, for compliance with the conditions and formalities prescribed by the United States copyright law.
- Po Proclamation specifically issued for the purpose of terminating a proclamation issued under the Act of September 25, 1941.

TREATIES AND CONVENTIONS

- BAC Buenos Aires Convention. Convention on literary and artistic copyright between the United States and other American Republics, signed at the Fourth International Conference of American States at Buenos Aires August 11, 1910. U.S. ratification deposited on May 1, 1911. Convention proclaimed by the President of the United States on July 13, 1914.
- Berne The Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, as revised at Paris on July 24, 1971. Appearing within parentheses is the latest Act ²⁷ of the Convention to which the listed country is party. The Berne Convention, as revised at Paris on July 24, 1971, and amended on October 2, 1979, did not enter into force with respect to the United States until March 1, 1989.
- MCC Mexico City Convention. Convention on literary and artistic copyrights signed at the Second International Conference of American States at Mexico City, January 27, 1902, effective June 30, 1908, to which the United States became a party, effective on that same date. As regards copyright relations with the United States, this convention is considered to have been superseded by adherence of the foreign country and the United States to the Buenos Aires Convention of August 11, 1910.
- UCC Universal Copyright Convention. Done at Geneva September 6, 1952. Came into force on September 16, 1955. United States became a party, effective on that same date.
- UCC rev. Universal Copyright Convention revised. Done at Paris July 24, 1971. Came into force on July 10, 1974. United States became a party, effective on that same date.
- C Bilateral convention.
- Cni Bilateral convention including provisions covering mechanical reproduction rights for musical works.
- T Treaty relating in part to copyright.
- Pg Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms. Done at Geneva October 29, 1971. Entered into force with respect to the United States on March 10, 1974.
- Pcss Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite. Done at Brussels May 21, 1974. Entered into force with respect to the United States on March 7, 1985.

PROCLAMATIONS, TREATIES, AND CONVENTIONS ESTABLISHING COPYRIGHT RELATIONS BETWEEN THE UNITED STATES AND OTHER COUNTRIES

Country	Document	Date of document	Effective date for party ²⁸	Reference
Algeria.....	UCC	Sept. 6, 1952	Aug. 28, 1973	6 UST 2731.
	UCC rev.	July 24, 1971	July 10, 1974	25 UST 1341.
Andorra.....	UCC	Sept. 6, 1952	Sept. 16, 1955	6 UST 2731.
Argentina.....	Pm	Aug. 23, 1934	Aug. 23, 1934	49 Stat. 3413.
	BAC	Aug. 11, 1910	Apr. 19, 1950	38 Stat. 1785.
	UCC	Sept. 6, 1952	Feb. 13, 1958	6 UST 2731.
	Berne (Brussels)	June 26, 1948	June 10, 1967	331 UNTS 217.
	Pg	Oct. 29, 1971	June 30, 1973	25 UST 309.
Australia ¹	Pm	Apr. 3, 1918	Mar. 15, 1918	40 Stat. 1764.
	Pxx ²	Dec. 29, 1949	Dec. 29, 1949	64 Stat. A385.
	UCC	Sept. 6, 1952	May 1, 1969	6 UST 2731.
	Pg	Oct. 29, 1971	June 22, 1974	25 UST 309.
	UCC rev.	July 24, 1971	Feb. 28, 1978	25 UST 1341.
	Berne (Paris)	July 24, 1971	Mar. 1, 1978	T. Doc. 99-27.
	Pcss	May 21, 1974	Oct. 26, 1990	T. Doc. 98-31.

PROCLAMATIONS, TREATIES, AND CONVENTIONS ESTABLISHING COPYRIGHT RELATIONS BETWEEN THE UNITED STATES
AND OTHER COUNTRIES—Continued

Country	Document	Date of document	Effective date for party ²⁵	Reference
Austria ²	P P Px Pm Pxx UCC Pcss UCC rev. Pg Berne (Paris)	Sept. 20, 1907 Apr. 9, 1910 May 25, 1922 Mar. 11, 1925 June 15, 1960 Sept. 6, 1952 May 21, 1974 July 24, 1971 Oct. 29, 1971 July 24, 1971	Sept. 20, 1907 July 1, 1909 May 25, 1922 Aug. 1, 1920 June 15, 1960 July 2, 1957 Aug. 6, 1982 Aug. 14, 1982 Aug. 21, 1982 Aug. 21, 1982	35 Stat. 2155. 36 Stat. 2685. 42 Stat. 2273. 44 Stat. 2571. 74 Stat. C89. 6 UST 2731. T. Doc. 98-31. 25 UST 1341. 25 UST 309. T. Doc. 99-27.
Bahamas, The	UCC Berne (Brussels)	Sept. 6, 1952 June 26, 1948	July 10, 1973 July 10, 1973	6 UST 2731. 331 UNTS 217.
Bangladesh	UCC rev.	July 24, 1971	Dec. 27, 1976	25 UST 1341.
Barbados	UCC UCC rev.	Sept. 6, 1952 July 24, 1971	Aug. 5, 1975 Aug. 5, 1975	6 UST 2731. 25 UST 1341.
	UCC rev.	Sept. 6, 1952 July 24, 1971	June 18, 1983 June 18, 1983	6 UST 2731. 25 UST 1341.
Belgium	Pg Berne (Paris)	Oct. 29, 1971 July 24, 1971	July 29, 1983 July 30, 1983	25 UST 309. T. Doc. 99-27.
	P P Pm Berne (Brussels)	July 1, 1891 Apr. 9, 1910 June 14, 1911 June 26, 1948	July 1, 1891 July 1, 1909 July 1, 1909 Aug. 1, 1951	27 Stat. 981. 36 Stat. 2685. 37 Stat. 1688. 331 UNTS 217.
Belize	UCC	Sept. 6, 1952	Aug. 31, 1960	6 UST 2731.
Benin	UCC ²⁰	Sept. 6, 1952	Dec. 1, 1982	6 UST 2731.
Belivia	BAC UCC UCC rev.	July 24, 1971 Aug. 11, 1910 Sept. 6, 1952	Jan. 3, 1961 May 15, 1914 Mar. 22, 1990	T. Doc. 99-27. 38 Stat. 1785. 6 UST 2731.
Brazil	BAC UCC UCC rev.	Aug. 11, 1910 Apr. 2, 1957 Sept. 6, 1952	Aug. 31, 1915 Apr. 2, 1957 Jan. 13, 1960	25 UST 1341. 38 Stat. 1785. 8 UST 424.
	UCC Berne (Paris)	Sept. 6, 1952 July 24, 1971	Apr. 20, 1975 Apr. 20, 1975	6 UST 2731. T. Doc. 99-27.
	Pg UCC rev.	Oct. 29, 1971 July 24, 1971	Nov. 28, 1975 Dec. 11, 1975	25 UST 309. 25 UST 1341.
Bulgaria	UCC UCC rev.	Sept. 6, 1952 July 24, 1971	Dec. 4, 1974 June 7, 1975	T. Doc. 99-27. 6 UST 2731.
Burkina Faso	UCC Berne (Paris)	Sept. 6, 1952 July 24, 1971	June 7, 1975 Jan. 24, 1976	25 UST 1341. T. Doc. 99-27.
Cambodia ²	Pg	Oct. 29, 1971	Jan. 30, 1988	25 UST 309.
Cameroon	UCC UCC rev.	Sept. 6, 1952 July 24, 1971	Sept. 16, 1955 May 1, 1973	6 UST 2731. 6 UST 2731.
	UCC rev.	July 24, 1971	July 10, 1974	25 UST 1341.
Canada ¹	Berne (Paris)	July 24, 1971	Oct. 10, 1974	T. Doc. 99-27.
	Pm Berne (Rome)	Dec. 27, 1923 June 2, 1928	Jan. 1, 1924 Aug. 1, 1931	43 Stat. 1932. 123 LNTS 232.
Central African Republic	UCC	Sept. 6, 1952	Aug. 10, 1982	6 UST 2731.
Chad	Berne (Paris)	July 24, 1971	Sept. 3, 1977	T. Doc. 99-27.
Chile	Berne (Brussels)	June 26, 1948	Nov. 25, 1971	331 UNTS 217.
	P Pm BAC UCC	May 25, 1896 Apr. 9, 1910 Nov. 18, 1925 Aug. 11, 1910	May 25, 1896 July 1, 1909 July 1, 1925 June 14, 1955	29 Stat. 880. 36 Stat. 2685. 44 Stat. 2590. 38 Stat. 1785.
	UCC Berne (Paris)	Sept. 6, 1952 July 24, 1971	Sept. 16, 1955 July 10, 1975	6 UST 2731. T. Doc. 99-27.
China	Pg T ⁴ T ⁴	Oct. 29, 1971 Oct. 8, 1903 Nov. 4, 1946	Mar. 24, 1977 Jan. 13, 1904 Nov. 30, 1948	25 UST 309. 33 Stat. 2208. 63 Stat. 1299.
Colombia	BAC UCC UCC rev.	Aug. 11, 1910 Sept. 6, 1952 July 24, 1971	Dec. 23, 1936 June 18, 1976 June 18, 1976	38 Stat. 1785. 6 UST 2731. 25 UST 1341.
Congo	Berne (Paris)	July 24, 1971	Mar. 7, 1988	T. Doc. 99-27.
Costa Rica	Berne (Paris)	July 24, 1971	Dec. 5, 1975	T. Doc. 99-27.
	P P MCC BAC UCC	Oct. 19, 1889 Apr. 9, 1910 Jan. 27, 1902 Aug. 11, 1910 Sept. 6, 1952	Oct. 19, 1889 July 1, 1909 June 30, 1908 Nov. 30, 1916 Sept. 16, 1955	31 Stat. 1955. 36 Stat. 2685. 35 Stat. 1934. 38 Stat. 1785. 6 UST 2731.
	UCC rev.	July 24, 1971	June 10, 1978	T. Doc. 99-27.
Cote d'Ivoire	Pg Berne (Paris)	Oct. 29, 1971 July 24, 1971	Mar. 7, 1980 Oct. 10, 1974	25 UST 1341. T. Doc. 99-27.
Cuba	P P Pm UCC	Nov. 17, 1903 Apr. 9, 1910 Nov. 27, 1911 Sept. 6, 1952	Nov. 17, 1903 July 1, 1909 May 29, 1911 June 18, 1957	33 Stat. 2324. 36 Stat. 2685. 37 Stat. 1721. 6 UST 2731.
Cyprus	Berne (Paris)	July 24, 1971	July 27, 1983	T. Doc. 99-27.
	UCC UCC rev.	Sept. 6, 1952 July 24, 1971	Dec. 19, 1990 Dec. 19, 1990	6 UST 2731. 25 UST 1341.
Czechoslovakia	Pm UCC	Apr. 27, 1927 Sept. 6, 1952	Mar. 1, 1927 Jan. 6, 1960	45 Stat. 2906. 6 UST 2731.
	UCC Berne (Paris)	July 24, 1971 July 24, 1971	Apr. 11, 1980 Apr. 17, 1980	T. Doc. 99-27. 25 UST 1341.
	Pg P Pm Pxx UCC	Oct. 29, 1971 Apr. 7, 1934 May 8, 1893 Apr. 9, 1910 Dec. 9, 1920	Jan. 15, 1985 Apr. 7, 1934 May 8, 1893 July 1, 1909 Dec. 9, 1920	25 UST 309. 48 Stat. 1737. 28 Stat. 1219. 36 Stat. 2685. 41 Stat. 1810.
Danzig	UCC	Feb. 4, 1952	Feb. 4, 1952	66 Stat. C20.
Denmark ²	UCC Pg Berne (Paris)	Sept. 6, 1952 Oct. 29, 1971 July 24, 1971	Feb. 9, 1962 Mar. 24, 1977 June 30, 1979	6 UST 2731. 25 UST 309. T. Doc. 99-27.
	UCC rev.	July 24, 1971	July 11, 1979	25 UST 1341.
Dominican Republic	MCC BAC UCC UCC rev.	Jan. 27, 1902 Aug. 11, 1910 Sept. 6, 1952 July 24, 1971	June 30, 1908 Oct. 31, 1912 May 8, 1983 May 8, 1983	35 Stat. 1934. 38 Stat. 1785. 6 UST 2731. 25 UST 1341.

PROCLAMATIONS, TREATIES, AND CONVENTIONS ESTABLISHING COPYRIGHT RELATIONS BETWEEN THE UNITED STATES
AND OTHER COUNTRIES—Continued

Country	Document	Date of document	Effective date for party ²⁸	Reference
Ecuador	BAC	Aug. 11, 1910	Aug. 31, 1914	38 Stat. 1785.
	UCC	Sept. 6, 1952	June 5, 1957	6 UST 2731.
	Pg	Oct. 29, 1971	Sept. 14, 1974	25 UST 309.
	UCC rev.	July 24, 1971	June 6, 1991	25 UST 1341.
Egypt	Berne (Paris)	July 24, 1971	Oct. 9, 1991	T. Doc. 99-27.
	Berne (Paris)	July 24, 1971	June 7, 1977	T. Doc. 99-27.
	Pg	Oct. 29, 1971	Apr. 23, 1978	25 UST 309.
El Salvador	MCC	Jan. 27, 1902	June 30, 1908	35 Stat. 1934.
	Pg	Oct. 29, 1971	Feb. 9, 1979	25 UST 309.
	UCC	Sept. 6, 1952	Mar. 29, 1979	6 UST 2731.
	UCC rev.	July 24, 1971	Mar. 29, 1979	25 UST 1341.
Fiji	UCC	Sept. 6, 1952	Oct. 10, 1970	6 UST 2731.
	Berne (Brussels)	June 26, 1948	Dec. 1, 1971	331 UNTS 217.
	Pg	Oct. 29, 1971	Apr. 18, 1973	25 UST 309.
Finland	Pm	Dec. 15, 1928	Jan. 1, 1929	45 Stat. 2980.
	Pxx	Nov. 16, 1951	Nov. 16, 1951	66 Stat. C5.
	UCC	Sept. 6, 1952	Apr. 18, 1963	6 UST 2731.
	Pg	Oct. 29, 1971	Apr. 18, 1973	25 UST 309.
	Berne (Paris)	July 24, 1971	Nov. 1, 1986	T. Doc. 99-27.
	UCC rev.	July 24, 1971	Nov. 1, 1986	25 UST 1341.
France ⁶	P	July 1, 1891	July 1, 1891	27 Stat. 981.
	P	Apr. 9, 1910	July 1, 1909	36 Stat. 2685.
	Pm	May 24, 1918	May 24, 1918	40 Stat. 1784.
	Pxx	Mar. 27, 1947	Mar. 27, 1947	61 Stat. 1057.
	Po	May 26, 1950	Dec. 29, 1950	64 Stat. A413.
	UCC	Sept. 6, 1952	Jan. 14, 1956	6 UST 2731.
	Pg	Oct. 29, 1971	Apr. 18, 1973	25 UST 309.
	UCC rev.	July 24, 1971	July 10, 1974	25 UST 1341.
	Berne (Paris)	July 24, 1971	Oct. 10, 1974	T. Doc. 99-27.
Gabon	Berne (Paris)	July 24, 1971	June 10, 1975	T. Doc. 99-27.
German Dem. Republic ³⁰	UCC	Sept. 6, 1952	Oct. 5, 1973	6 UST 2731.
	Berne (Paris) ²⁹	July 24, 1971	Feb. 18, 1978	T. Doc. 99-27.
	UCC rev.	July 24, 1971	Dec. 10, 1980	25 UST 1341.
Germany ³	P	Apr. 15, 1892	Apr. 15, 1892	27 Stat. 1021.
	P	Apr. 9, 1910	July 1, 1909	36 Stat. 2685.
	Pm	Dec. 8, 1910	Dec. 8, 1910	36 Stat. 2761.
	Pxx	May 25, 1922	May 25, 1922	42 Stat. 2271.
Germany, Federal Republic of ³⁰	UCC	Sept. 6, 1952	Sept. 16, 1955	6 UST 2731.
	Pxx	July 12, 1967	July 12, 1967	18 UST 2369.
	UCC rev.	July 24, 1971	July 10, 1974	25 UST 1341.
	Pg	Oct. 29, 1971	May 18, 1974	25 UST 309.
	Berne (Paris)	July 24, 1971	Oct. 10, 1974	T. Doc. 99-27.
	Pcss	May 21, 1974	Aug. 25, 1979	T. Doc. 98-31.
Ghana	UCC	Sept. 6, 1952	Aug. 22, 1962	6 UST 2731.
	Berne (Paris)	July 24, 1971	Oct. 11, 1991	T. Doc. 99-27.
Greece	Pm	Feb. 23, 1932	Mar. 1, 1932	47 Stat. 2502.
	UCC	Sept. 6, 1952	Aug. 24, 1963	6 UST 2731.
	Berne (Paris)	July 24, 1971	Mar. 8, 1976	T. Doc. 99-27.
	Pcss	May 21, 1974	Oct. 22, 1991	T. Doc. 98-31.
Guatemala	MCC	Jan. 27, 1902	June 30, 1908	35 Stat. 1934.
	BAC	Aug. 11, 1910	Mar. 28, 1913	38 Stat. 1785.
	UCC	Sept. 6, 1952	Oct. 28, 1964	6 UST 2731.
	Pg	Oct. 29, 1971	Feb. 1, 1977	25 UST 309.
Guinea	Berne (Paris)	July 24, 1971	Nov. 20, 1980	T. Doc. 99-27.
	UCC	Sept. 6, 1952	Nov. 13, 1981	6 UST 2731.
	UCC rev.	July 24, 1971	Nov. 13, 1981	25 UST 1341.
Guinea-Bissau	Berne (Paris)	July 24, 1971	July 22, 1991	T. Doc. 99-27.
Haiti	BAC	Aug. 11, 1910	Nov. 27, 1919	38 Stat. 1785.
	UCC	Sept. 6, 1952	Sept. 16, 1955	6 UST 2731.
Holy See	UCC	Sept. 6, 1952	Oct. 5, 1955	6 UST 2731.
	Berne (Paris)	July 24, 1971	Apr. 24, 1975	T. Doc. 99-27.
	Pg	Oct. 29, 1971	July 18, 1977	25 UST 309.
	UCC rev.	July 24, 1971	May 6, 1980	25 UST 1341.
Honduras	MCC	Jan. 27, 1902	June 30, 1908	35 Stat. 1934.
	BAC	Aug. 11, 1910	Apr. 27, 1914	38 Stat. 1785.
	Berne (Paris)	July 24, 1971	Jan. 25, 1990	T. Doc. 99-27.
	Pg	Oct. 29, 1971	Mar. 6, 1990	25 UST 309.
Hungary ²	Cm ⁷	Jan. 30, 1912	Oct. 16, 1912	37 Stat. 1631.
	Px	June 3, 1922	June 3, 1922	42 Stat. 2277.
	T ⁸ , ⁹	Feb. 10, 1947	Sept. 15, 1947	61 Stat. 2065.
	UCC	Sept. 6, 1952	Jan. 23, 1971	6 UST 2731.
	UCC rev.	July 24, 1971	July 10, 1974	25 UST 1341.
	Berne (Paris)	July 24, 1971	Oct. 10, 1974	T. Doc. 99-27.
	Pg	Oct. 29, 1971	May 28, 1975	25 UST 309.
Iceland	Berne (Rome)	June 2, 1928	Sept. 7, 1947	123 LNTS 232.
	UCC	Sept. 6, 1952	Dec. 18, 1956	6 UST 2731.
India ¹ , ¹⁰	Pm	Oct. 21, 1954	Aug. 15, 1947	5 UST 2529.
	UCC	Sept. 6, 1952	Jan. 21, 1958	6 UST 2731.
	Pg	Oct. 29, 1971	Feb. 12, 1975	25 UST 309.
	Berne (Paris)	July 24, 1971	May 6, 1984	T. Doc. 99-27.
	UCC rev.	July 24, 1971	Jan. 7, 1988	25 UST 1341.
Indonesia	P	July 31, 1989	Aug. 1, 1989	103 Stat. 3069.
Ireland ¹	Pm ¹¹	Sept. 28, 1929	Oct. 1, 1929	46 Stat. 3005.
	UCC	Sept. 6, 1952	Jan. 20, 1959	6 UST 2731.
	Berne (Brussels)	June 26, 1948	July 5, 1959	331 UNTS 217.
Israel ¹²	Pm	May 4, 1950	May 15, 1948	64 Stat. A402.
	Berne (Brussels)	June 26, 1948	Aug. 1, 1951	331 UNTS 217.
	UCC	Sept. 6, 1952	Sept. 16, 1955	6 UST 2731.
	Pg	Oct. 29, 1971	May 1, 1978	25 UST 309.

PROCLAMATIONS, TREATIES, AND CONVENTIONS ESTABLISHING COPYRIGHT RELATIONS BETWEEN THE UNITED STATES
AND OTHER COUNTRIES—Continued

Country	Document	Date of document	Effective date for party ²²	Reference
Italy	P ¹⁸	Oct. 31, 1892	Oct. 31, 1892	27 Stat. 1043.
	P	Apr. 9, 1910	July 1, 1909	36 Stat. 2685.
	Pm ¹⁸	May 1, 1915	May 1, 1915	39 Stat. 1725.
	Px	June 3, 1922	June 3, 1922	42 Stat. 2276.
	T ^{16, 14}	Feb. 10, 1947	Sept. 15, 1947	61 Stat. 1245.
	Pxx	Doc. 12, 1951	Doc. 12, 1951	66 Stat. C13.
	UCC	Sept. 6, 1952	Jan. 24, 1957	6 UST 2731.
	Pg	Oct. 29, 1971	Mar. 24, 1977	25 UST 309.
	Berne (Paris)	July 24, 1971	Nov. 14, 1979	T. Doc. 99-27.
	UCC rev.	July 24, 1971	Jan. 25, 1980	25 UST 1341.
	Pcss	May 21, 1974	July 7, 1981	T. Doc. 98-31.
Japan	C ¹⁶	Nov. 10, 1905	May 10, 1906	34 Stat. 2890.
	C ¹⁶	May 19, 1908	Aug. 6, 1908	35 Stat. 2044.
	T ¹⁷	Sept. 8, 1951	Apr. 28, 1952	3 UST 3169.
	Pm ¹⁸	Nov. 10, 1953	Apr. 28, 1952	5 UST 118.
	UCC	Sept. 6, 1952	Apr. 28, 1956	6 UST 2731.
	Berne (Paris)	July 24, 1971	Apr. 24, 1975	T. Doc. 99-27.
	UCC rev.	July 24, 1971	Oct. 21, 1977	25 UST 1341.
	Pg	Oct. 29, 1971	Oct. 14, 1978	25 UST 309.
Kenya	UCC	Sept. 6, 1952	Sept. 7, 1966	6 UST 2731.
	UCC rev.	July 24, 1971	July 10, 1974	25 UST 1341.
	Pg	Oct. 29, 1971	Apr. 21, 1976	25 UST 309.
	Pcss	May 21, 1974	Aug. 25, 1979	T. Doc. 98-31.
Korea	C ¹⁶	May 19, 1908	Aug. 6, 1908	35 Stat. 2041.
Korea, Republic of	UCC	Sept. 6, 1952	Oct. 1, 1987	6 UST 2731.
	UCC rev.	July 24, 1971	Oct. 1, 1987	25 UST 1341.
	Pg	Oct. 29, 1971	Oct. 10, 1987	25 UST 309.
Laos	UCC	Sept. 6, 1952	Sept. 18, 1955	6 UST 2731.
Lebanon	Berne (Reme)	June 2, 1928	Sept. 30, 1947	123 LNTS 232.
	UCC	Sept. 6, 1952	Oct. 17, 1959	6 UST 2731.
Lesotho	Berne (Paris)	July 24, 1971	Sept. 28, 1989	T. Doc. 99-27.
Liberia	UCC	Sept. 6, 1952	July 27, 1956	6 UST 2731.
	Berne (Paris)	July 24, 1971	Mar. 8, 1989	T. Doc. 99-27.
Libya	Berne (Paris)	July 24, 1971	Sept. 28, 1976	T. Doc. 99-27.
Liechtenstein	Berne (Brussels)	June 26, 1948	Aug. 1, 1951	331 UNTS 217.
	UCC	Sept. 6, 1952	Jan. 22, 1959	6 UST 2731.
Luxembourg	P	June 29, 1910	June 29, 1910	36 Stat. 2716.
	Pm	June 14, 1911	June 29, 1910	37 Stat. 1689.
	UCC	Sept. 6, 1952	Oct. 15, 1955	6 UST 2731.
	Berne (Paris)	July 24, 1971	Apr. 20, 1975	T. Doc. 99-27.
	Pg	Oct. 29, 1971	Mar. 8, 1976	25 UST 309.
Madagascar	Berne (Brussels)	June 26, 1948	Jan. 1, 1966	331 UNTS 217.
Malawi	UCC	Sept. 6, 1952	Oct. 26, 1965	6 UST 2731.
	Berne (Paris)	July 24, 1971	Oct. 12, 1991	T. Doc. 99-27.
Malaysia	Berne (Paris)	July 24, 1971	Oct. 1, 1990	T. Doc. 99-27.
Malta	Berne (Rome)	June 2, 1928	Sept. 21, 1964	123 LNTS 232.
	UCC	Sept. 6, 1952	Nov. 19, 1968	6 UST 2731.
Mauritania	Berne (Paris)	July 24, 1971	Sept. 21, 1976	T. Doc. 99-27.
Mauritius	UCC	Sept. 6, 1952	Mar. 12, 1968	6 UST 2731.
	Berne (Paris)	July 24, 1971	May 10, 1989	T. Doc. 99-27.
Mexico	P	Feb. 27, 1896	Feb. 27, 1896	29 Stat. 877.
	P	Apr. 9, 1910	July 1, 1909	36 Stat. 2685.
	UCC	Sept. 6, 1952	May 12, 1957	6 UST 2731.
	BAC	Aug. 11, 1910	Apr. 24, 1964	38 Stat. 1785.
	Pg	Oct. 29, 1971	Dec. 21, 1973	25 UST 309.
	Berne (Paris)	July 24, 1971	Dec. 17, 1974	T. Doc. 99-27.
	UCC rev.	July 24, 1971	Oct. 31, 1975	25 UST 1341.
	Pcss	May 21, 1974	Aug. 25, 1979	T. Doc. 98-31.
Monaco	Pm	Oct. 15, 1952	Oct. 15, 1952	67 Stat. C16.
	UCC	Sept. 6, 1952	Sept. 16, 1955	6 UST 2731.
	Berne (Paris)	July 24, 1971	Nov. 23, 1974	T. Doc. 99-27.
	Pg	Oct. 29, 1971	Dec. 2, 1974	25 UST 309.
	UCC rev.	July 24, 1971	Dec. 13, 1974	25 UST 1341.
Morocco	UCC	Sept. 6, 1952	May 8, 1972	6 UST 2731.

PROCLAMATIONS, TREATIES, AND CONVENTIONS ESTABLISHING COPYRIGHT RELATIONS BETWEEN THE UNITED STATES
AND OTHER COUNTRIES—Continued

Country	Document	Date of document	Effective date for party ²	Reference
Palestine (excluding Trans-Jordan) ¹	Pm. Pxx ¹² Po ¹²	Sept 29, 1933 Mar. 10, 1944 May 28, 1950	Oct. 1, 1933 Mar. 10, 1944 Dec. 29, 1950	48 Stat. 1713. 58 Stat. 1129. 64 Stat. A412.
Panama	BAC UCC Pg UCC rev.	Aug. 11, 1910 Sept. 6, 1952 Oct. 29, 1971 July 24, 1971	Nov. 25, 1913 Oct. 17, 1962 June 29, 1974 Sept. 3, 1980	38 Stat. 1785. 6 UST 2731. 25 UST 309. 25 UST 1341.
Paraguay	Pcss BAC UCC Pg	May 21, 1974 Aug. 11, 1910 Sept. 6, 1952 Oct. 29, 1971	Sept. 25, 1985 Sept. 20, 1917 Mar. 11, 1962 Feb. 13, 1979	T. Doc. 98-31. 38 Stat. 1785. 6 UST 2731. 25 UST 309.
Peru	BAC UCC UCC rev. Pcss Pg	Aug. 11, 1910 Sept. 6, 1952 July 24, 1971 May 21, 1974 Oct. 29, 1971	Apr. 30, 1920 Oct. 16, 1963 July 22, 1985 Aug. 7, 1985 Aug. 24, 1985	38 Stat. 1785. 6 UST 2731. 25 UST 1341. T. Doc. 98-31. 25 UST 309.
Philippines	Berne (Paris) Pm UCC ²¹	July 24, 1971 Oct. 21, 1948 Sept. 6, 1952	Aug. 20, 1988 Oct. 21, 1948 Sept. 6, 1952	T. Doc. 99-27. 62 Stat. 1568. 6 UST 2731.
Poland	Berne (Brussels) Pm Berne (Rome) UCC UCC rev.	June 26, 1948 Feb. 14, 1927 June 2, 1928 Sept. 6, 1952 July 24, 1971	Aug. 1, 1951 Feb. 16, 1927 Nov. 21, 1935 Mar. 9, 1977 Mar. 9, 1977	331 UNTS 217 44 Stat. 2634. 123 LNTS 232 6 UST 2731. 25 UST 1341.
Portugal	P UCC Berne (Paris) UCC rev.	July 20, 1893 Apr. 9, 1910 Sept. 6, 1952 July 24, 1971	July 20, 1893 July 1, 1909 Dec. 25, 1956 Jan. 12, 1979	28 Stat. 1222. 36 Stat. 2685. 6 UST 2731. T. Doc. 99-27.
Romania	P UCC Pm ²² Berne (Rome) T. ²³	July 24, 1971 July 24, 1971 May 14, 1928 June 2, 1928 Feb. 10, 1947	July 30, 1981 May 14, 1928 Aug. 6, 1936 Sept. 15, 1947	25 UST 1341. 45 Stat. 2949. 123 LNTS 232 61 Stat. 1757.
Rwanda	Berne (Paris) UCC	July 24, 1971 Sept. 6, 1952	Mar. 1, 1984 Apr. 22, 1985	T. Doc. 99-27. 6 UST 2731.
Saint Vincent and the Grenadines	UCC rev. UCC	July 24, 1971 Sept. 6, 1952	Apr. 22, 1985 July 9, 1974	25 UST 1341. 6 UST 2731.
Senegal	UCC rev. Berne (Paris) P	July 24, 1971 July 24, 1971 May 18, 1987	July 10, 1974 Aug. 12, 1975 May 18, 1987	25 UST 1341. T. Doc. 99-27. 101 Stat. 2134.
Singapore	P	June 26, 1924	July 1, 1924	43 Stat. 1957.
South Africa ¹	Berne (Brussels) P ²⁴	June 26, 1948 July 10, 1895	Aug. 1, 1951 July 10, 1895	331 UNTS 217 29 Stat. 871.
Spain ⁵	P Pm UCC UCC rev. Pg Berne (Paris) Berne (Rome) UCC UCC rev. Berne (Paris)	Apr. 9, 1910 Oct. 10, 1934 Sept. 6, 1952 July 24, 1971 Oct. 29, 1971 July 24, 1971 June 2, 1928 Sept. 6, 1952 July 24, 1971 July 24, 1971	July 1, 1909 Oct. 10, 1934 Sept. 16, 1955 July 10, 1974 Aug. 24, 1974 Oct. 10, 1974 July 20, 1959 Jan. 25, 1984 Jan. 25, 1984 Feb. 23, 1977	49 Stat. 3420. 6 UST 2731. 25 UST 1341. 25 UST 309. T. Doc. 99-27. 123 LNTS 232 6 UST 2731. 25 UST 1341. 25 UST 1341.
Sri Lanka (formerly Ceylon)	UCC UCC rev. Berne (Paris) Berne (Rome) UCC UCC rev. Berne (Paris)	June 2, 1928 Sept. 6, 1952 July 24, 1971 July 24, 1971 May 28, 1911 Feb. 27, 1920	Jan. 25, 1984 Jan. 25, 1984 Feb. 23, 1977 June 1, 1911 Feb. 1, 1920	25 UST 1341. 25 UST 1341. T. Doc. 99-27. 37 Stat. 1682. 41 Stat. 1787.
Sweden	P Pm UCC Pg UCC rev. Berne (Paris)	Sept. 6, 1952 Oct. 29, 1971 July 24, 1971 July 24, 1971 July 24, 1971	July 1, 1961 Apr. 18, 1973 July 10, 1974 Oct. 10, 1974	6 UST 2731. 25 UST 309. 25 UST 1341. T. Doc. 99-27.
Switzerland	P P Pm Berne (Brussels) UCC T ²⁵ Berne (Berlin) T ²⁵ T ²⁵	July 1, 1891 Apr. 9, 1910 Nov. 22, 1924 June 26, 1948 Sept. 6, 1952 Dec. 16, 1920 Nov. 13, 1908 Nov. 13, 1937 May 29, 1966	July 1, 1891 July 1, 1909 July 1, 1923 Jan. 2, 1956 Mar. 30, 1956 Sept. 1, 1921 July 17, 1931 Oct. 1, 1938 June 8, 1968	27 Stat. 981. 36 Stat. 2685. 43 Stat. 1976. 331 UNTS 217 6 UST 2731. 42 Stat. 1928. 1 LNTS 217. 53 Stat. 1731. 19 UST 5843.
Togo	Berne (Paris) Berne (Paris) UCC UCC rev. Pg P ²⁶	July 24, 1971 July 24, 1971 Sept. 6, 1952 July 24, 1971 Oct. 29, 1971 Oct. 4, 1912	Apr. 30, 1975 Aug. 16, 1988 Aug. 19, 1988 Aug. 19, 1988 Oct. 1, 1988 Oct. 4, 1912	T. Doc. 99-27. T. Doc. 99-27. 6 UST 2731. 25 UST 1341. 25 UST 309. 37 Stat. 1785.
Tunisia	UCC UCC rev. Berne (Paris) Berne (Brussels) UCC Pcss UCC Pg UCC rev. Berne (Paris)	Sept. 6, 1952 July 24, 1971 July 24, 1971 June 26, 1948 Sept. 6, 1952 May 21, 1974 Sept. 6, 1952 Oct. 29, 1971 July 24, 1971 July 24, 1971	June 19, 1969 June 10, 1975 Aug. 16, 1975 Jan. 1, 1952 May 27, 1973 Jan. 20, 1989 Sept. 27, 1957 Apr. 18, 1973 July 10, 1974 Jan. 2, 1990	6 UST 2731. 25 UST 1341. T. Doc. 99-27. 331 UNTS 217 6 UST 2731. T. Doc. 98-31. 6 UST 2731. 25 UST 309. 25 UST 1341. T. Doc. 99-27.
Turkey	UCC UCC P Pm	Sept. 6, 1952 May 21, 1974 Sept. 6, 1952 Apr. 9, 1910	May 27, 1973 Jan. 20, 1989 Sept. 27, 1957 July 1, 1891	6 UST 2731. T. Doc. 98-31. 6 UST 2731. 27 Stat. 981.
Union of Soviet Socialist Republics	UCC P Pm	Sept. 6, 1952 July 1, 1891 Apr. 9, 1910	Jan. 1, 1915 July 1, 1909 Jan. 1, 1915	38 Stat. 2044. 36 Stat. 2685. 41 Stat. 1790.
United Kingdom ¹	Pmx P Pm	Apr. 10, 1920 Jan. 1, 1915 Apr. 9, 1910	Feb. 2, 1920 July 1, 1909 July 1, 1909	41 Stat. 1790.
United Kingdom and Possessions ¹	P Pm	Jan. 1, 1915 Apr. 9, 1910	July 1, 1909 July 1, 1909	36 Stat. 2685. 38 Stat. 2044.
United Kingdom and the British Dominions, Colonies and Possessions with the exception of Canada, Australia, New Zealand, South Africa and Newfoundland ¹	P Pm	Jan. 1, 1915 Apr. 9, 1910	July 1, 1909 July 1, 1909	36 Stat. 2685. 38 Stat. 2044.
United Kingdom, including certain British Territories ¹ and Palestine ¹²	Pxx Po BAC Berne (Paris) Pg Pg UCC Pg	Mar. 10, 1944 Mar. 26, 1950 Aug. 11, 1910 July 24, 1971 Oct. 29, 1971 Sept. 6, 1952 Oct. 29, 1971 July 24, 1971	Mar. 10, 1944 Dec. 29, 1950 Dec. 17, 1919 Dec. 28, 1979 Jan. 18, 1983 Sept. 30, 1966 Nov. 18, 1982 Dec. 30, 1982	58 Stat. 1129. 64 Stat. A412. 38 Stat. 1785. T. Doc. 99-27. 25 UST 309. 6 UST 2731. 25 UST 309. T. Doc. 99-27.
Uruguay	Berne (Paris) Pg Pg UCC Pg	July 24, 1971 Oct. 29, 1971 Sept. 6, 1952 Oct. 29, 1971 July 24, 1971	Dec. 28, 1979 Jan. 18, 1983 Sept. 30, 1966 Nov. 18, 1982 Dec. 30, 1982	25 UST 309. 6 UST 2731. 25 UST 309. T. Doc. 99-27.
Venezuela	Berne (Paris) Pg Pg UCC Pg	July 24, 1971 Oct. 29, 1971 Sept. 6, 1952 Oct. 29, 1971 July 24, 1971	Dec. 30, 1982 Nov. 18, 1982 Sept. 30, 1966 Nov. 18, 1982 Dec. 30, 1982	T. Doc. 99-27. 25 UST 309. 6 UST 2731. 25 UST 309. T. Doc. 99-27.

PROCLAMATIONS, TREATIES, AND CONVENTIONS ESTABLISHING COPYRIGHT RELATIONS BETWEEN THE UNITED STATES
AND OTHER COUNTRIES—Continued

Country	Document	Date of document	Effective date for party **	Reference
Yugoslavia.....	UCC UCC rev. Berne (Paris)	Sept. 6, 1952 July 24, 1971 July 24, 1971	May 11, 1986 July 10, 1974 Sept. 2, 1975	6 UST 2731. 25 UST 1341. T. Doc. 98-27.
Zaire.....	Pcss Berne (Paris)	May 21, 1974 July 24, 1971	Aug. 25, 1979 Jan. 31, 1975	T. Doc. 98-31. T. Doc. 98-27.
Zambia.....	Pg UCC	Oct. 29, 1971 Sept. 6, 1952	Nov. 29, 1977 June 1, 1965	25 UST 309. 6 UST 2731.
Zimbabwe.....	Berne (Reme)	June 2, 1928	Apr. 18, 1980	123 LNTS 232.

¹ The proclamations of July 1, 1891 and April 9, 1910, apply to "Great Britain and the British possessions," but the proclamations of January 1, 1915 and April 10, 1920, specifically except Australia, Canada, Newfoundland, New Zealand, and South Africa. The proclamations of March 10, 1944 and May 26, 1950, enumerate the various British territories to which they apply; the enumeration does not mention the areas specifically excepted in the proclamations of 1915 and 1920. Proclamations establishing individual copyright relations with Australia, Canada, Ireland, New Zealand, Palestine, and South Africa are listed separately. See also footnotes 2, 11, and 12. The proclamation of December 27, 1923, regarding Canada is considered as applying to Newfoundland at the present time.

The copyright proclamations of July 1, 1891, April 9, 1910, January 1, 1915, April 10, 1920, and March 10, 1944, regarding Great Britain and possessions each applied when issued to the areas now within the boundaries of Burma, Ceylon, India, and Pakistan. See footnote 10 with respect to India. No announcement has been made as to the application of the proclamations to Burma, Ceylon, and Pakistan since they acquired their new status.

² The proclamation of December 29, 1949, extends for one year from its date the period of time for compliance by citizens of Australia with the conditions and formalities prescribed by the copyright law of the United States.

³ The United States entered into treaties restoring friendly relations with Austria, Germany, and Hungary at Vienna on August 24, 1921 (42 Stat. 1948; TS 659), at Berlin on August 25, 1921 (42 Stat. 1939; TS 658); and at Budapest on August 29, 1921 (42 Stat. 1951; TS 610). By virtue of these treaties the United States became entitled to the benefits of the provisions relative to copyright protection in the treaties of peace signed by Austria, Germany, and Hungary at Saint-Germain-en-Laye on September 10, 1919, at Versailles on June 28, 1919, and at Trianon on June 4, 1920, respectively. See also footnote 7.

⁴ The status of copyright relations with China is currently under study, particularly in the light of the recent establishment of diplomatic relations with the People's Republic of China.

⁵ Treaties and conventions containing provisions relative to copyright protection in territories ceded to the United States are not included in this table: for example, the Treaty of Peace with Spain signed at Paris, December 10, 1898 (30 Stat. 1754; TS 343), and the Convention with Denmark for the Cession to the United States of the Danish West Indies, signed at New York, August 4, 1916 (39 Stat. 1708; TS 829).

⁶ The Department of State has made no announcement as to the application of the proclamations of July 1, 1891, April 9, 1910, May 24, 1918, and March 27, 1947, to Cambodia, Laos, and Viet-Nam.

⁷ Copyright convention signed at Budapest January 30, 1912 (TS 571). This convention was continued in force following World War I by notice given by the United States on May 27, 1922, to Hungary in pursuance of Article 224 of the Treaty of Trianon concluded on June 4, 1920 (III Redmond 3539), to the benefits of which the United States became entitled by the Treaty of August 29, 1921, establishing friendly relations between the United States and Hungary (42 Stat. 1951; TS 660). The convention of 1912 was kept in force or revived following World War II by notice given on March 9, 1948, by the United States to Hungary pursuant to Article 10 of the Treaty of Peace with Hungary (61 Stat. 2065; Department of State Bulletin, March 21, 1948, p. 382).

⁸ Treaty of Peace with Hungary (Annex IV A) dated at Paris, February 10, 1947 (TIAS 1851).

⁹ Except with respect to rights of third parties, the provisions relating to protection of copyright in the annexes to the Treaties of Peace with Hungary, Italy, and Romania dated at Paris, February 10, 1947, are bilateral in character. For example, the provisions of Annex IV A of the Treaty of Peace with Hungary relate, in general, to copyright relations between Hungary, on the one hand, and each of the other ratifying or adhering States, on the other. Those provisions do not pertain to copyright relations between those other States, except for third party rights. Annex IV of the Treaty of Peace with Bulgaria dated at Paris, February 10, 1947 (61 Stat. 1915; TIAS 1650) contains similar provisions. See also footnote 13.

¹⁰ The proclamation of October 21, 1954, affirms the existence of copyright relations with India after August 15, 1947 (the effective date of the Indian Independence Act). See also footnote 1.

¹¹ The Department of State has determined that the entry into force on April 16, 1949, of the Republic of Ireland Act had no effect upon the proclamation of September 26, 1929, regarding the Irish Free State (Eire). Copyright relations with Ireland are therefore governed by that proclamation. See also footnote 1.

¹² The proclamations of March 10, 1944 and May 26, 1950, regarding Great Britain and possessions, also specifically refer to Palestine (excluding Trans-Jordan). See also footnote 1.

¹³ The exchanges of notes between the United States and Italy, on the basis of which the proclamations of October 31, 1892 and May 1, 1915, were issued, were the subject of a note delivered on March 12, 1948, to the Italian Foreign Office by the American Embassy at Rome with respect to pre-war bilateral treaties and other international agreements which the United States desired to keep in force or revive pursuant to Article 44 of the Treaty of Peace with Italy. The note stated in part "that the Government of the United States of America wishes to include the reciprocal copyright arrangement between the United States and Italy effected pursuant to the exchange of notes signed at Washington October 28, 1892, and the exchanges of notes signed at Washington September 2, 1914, February 12, March 4, and March 11, 1915, among the pre-war bilateral treaties and other international agreements with Italy which the United States desires to keep in force or revive. Accordingly, it is understood that the aforementioned arrangement will continue in force and that the Government of each country will extend to the nationals of the other country treatment as favorable with respect to copyrights as was contemplated at the time the arrangement was entered into by the two countries." (Department of State Bulletin, April 4, 1948, p. 455).

¹⁴ Treaty of Peace with Italy (Annex XV A) dated at Paris, January 10, 1947 (TIAS 1648).

¹⁵ Copyright convention, signed at Tokyo, November 10, 1905 (TS 450). This convention is considered as having been abrogated on April 22, 1953, pursuant to the provisions of Article 7 of the Treaty of Peace which Japan signed at San Francisco, September 8, 1951 (TIAS 2490), since it was not included in the notification which was given on behalf of the United States Government to the Japanese Government on April 22, 1953, indicating the pre-war bilateral treaties or conventions which the United States wished to continue in force or revive.

¹⁶ Convention between the United States and Japan for reciprocal protection of inventions, designs, trademarks, and copyrights in China and other countries where either contracting party may exercise extraterritorial jurisdiction, signed at Washington, May 19, 1908 (TS 507). This convention is considered as having been abrogated on April 22, 1953, pursuant to the provisions of Article 7 of the Treaty of Peace with Japan signed at San Francisco, September 8, 1951 (TIAS 2490), since it was not included in the notification which was given on behalf of the United States Government to the Japanese Government on April 22, 1953, indicating the pre-war bilateral treaties or conventions which the United States wished to continue in force or revive.

¹⁷ Treaty of Peace with Japan (Articles 12, 14, and 15) signed at San Francisco, September 8, 1951 (TIAS 2496). See also footnotes 15, 16, 18, and 19.

¹⁸ The proclamation of November 10, 1953, extends benefits under the copyright law for a period of four years from the coming into force of the Treaty of Peace with Japan (TIAS 2490). That period expired April 28, 1956.

¹⁹ Copyright convention with Japan for reciprocal protection in Korea of inventions, designs, trademarks, and copyrights, signed at Washington, May 19, 1908 (TS 506). This convention is considered as having been abrogated on April 22, 1953, pursuant to the provisions of Article 7 of the Treaty of Peace with Japan signed at San Francisco, September 8, 1951 (TIAS 2496), since it was not included in the notification which was given on behalf of the United States Government to the Japanese Government on April 22, 1953, indicating the pre-war bilateral treaties or conventions which the United States wished to continue in force or revive.

ties or conventions which the United States wished to continue in force or revive.

³⁰ Belize notified the Director-General of UNESCO on December 1, 1982, of its decision to apply "provisionally, and on the basis of reciprocity" the Universal Copyright Convention as adopted at Geneva on September 8, 1952, the application of which had been extended to its territory before the attainment of independence from the United Kingdom on September 21, 1981.

³¹ An instrument of accession was deposited by the Philippine Government August 19, 1955. In a communication received by the State Department January 17, 1956, UNESCO stated that by a note dated November 14, 1955, the Philippine Government informed the Director-General of UNESCO that "the President of the . . . Philippines has directed the withdrawal of the . . . accession . . . to the Universal Copyright Convention prior to the date of November 19, 1955, at which time the Convention would become effective" for the Philippines. The Director-General notified the Philippine Government that he "proposed to submit their communication to the States concerned, upon whom it is incumbent to declare what legal inference they intend to draw from it."

³² In a note delivered February 26, 1948, to the Romanian Minister for Foreign Affairs by the American Minister at Bucharest with respect to pre-war bilateral treaties and other international agreements which the United States desired to keep in force or revive pursuant to Article 10 of the Treaty of Peace with Romania, the following statement was made regarding the proclamation of May 14, 1928, and the exchange of notes on which it is based: "It shall be understood that the reciprocal copyright arrangement between the United States and Romania effected pursuant to the exchanges of notes signed at Bucharest May 13 and October 21, 1927 and at Washington May 12 and 19, 1928 and the proclamation issued May 14, 1928 by the President of the United States of America will continue in force." (Department of State Bulletin, March 14, 1948, p. 356). See also footnote 9.

³³ Treaty of Peace with Romania, dated at Paris, February 10, 1947 (TIAS 1649).

³⁴ The proclamation of July 10, 1895, regarding Spain was based upon an arrangement between the United States and Spain effected by an exchange of notes signed at Washington, July 6 and 15, 1895. An agreement restoring the arrangement of July 6 and 15, 1895, was effected by an exchange of notes signed at Madrid, January 29 and November 18 and 26, 1902 (II Malloy 1710), following the Treaty of Peace between the United States and Spain signed at Paris, December 10, 1898 (30 Stat. 1754; TS 343). The latter treaty also contains in Article XIII the following provisions: "The rights of property secured by copyrights and patents acquired by Spaniards in the Island of Cuba, and in Puerto Rico, the Philippines and other ceded territories, at the time of the exchange of ratifications of this treaty, shall continue to be respected. Spanish scientific, literary and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories, for the period of ten years, to be reckoned from the date of the exchange of ratification of this treaty."

³⁵ Treaty of friendship, commerce and navigation, protocol and exchanges of notes, signed at Bangkok, November 13, 1937 (TS 940). This treaty replaces the treaty of friendship, commerce and navigation between the United States and Thailand signed at Washington, December 16, 1920 (TS 655), Article XII of which contains provisions relating to copyright protection. The treaty of amity and economic relations, with three exchanges of notes between the United States and Thailand signed at Bangkok, May 29, 1966 (TIAS 6540), replaces the treaty of November 13, 1937. Article V.2 contains provisions relating to copyright.

³⁶ The proclamation of October 4, 1912, stated, in effect, that the law "in Tunis" extended to U.S. citizens protection substantially equal to the protection secured under the copyright law of the United States and declared that "the subjects of Tunis" were entitled to the benefits of the Act of March 4, 1909, as amended, except copyright controlling the mechanical reproduction of a copyrighted musical work.

³⁷ "Paris" means the Berne Convention for the Protection of Literary and Artistic Works as revised at Paris on July 24, 1971 (Paris Act); "Stockholm" means the said Convention as revised at Stockholm on July 14, 1967 (Stockholm Act); "Brussels" means the said Convention as revised at Brussels on June 26, 1948 (Brussels Act); "Rome" means the said Convention as revised at Rome on June 2, 1928 (Rome Act); "Berlin" means the said Convention as revised at Berlin on November 13, 1908 (Berlin Act). NOTE: In each case the reference to Act signifies adherence to the substantive provisions of such Act only, e.g., Articles 1 to 21 and the Appendix of the Paris Act.

³⁸ The effective date is the date on which the designated State became party to the Convention or Treaty named, or in the case of the Berne Convention, the date on which the latest Act of the Convention to which such State is party entered into force with respect to that State.

³⁹ Through the accession, effective October 3, 1990, of the German Democratic Republic to the Federal Republic of Germany, the German Democratic Republic ceased, on the said date, to be a party to the Berne Convention for the Protection of Literary and Artistic Works.

⁴⁰ See note under GERMANY, FEDERAL REPUBLIC OF in bilateral section.

§ 106. Exclusive rights in copyrighted works

Subject to sections 107 through 120, the owner of copyright under this title has the exclusive rights to do and to authorize any of the following:

[See main edition for text of (1) to (5)]

(As amended Pub. L. 101-318, § 3(d), July 3, 1990, 104 Stat. 288; Pub. L. 101-650, title VII, § 704(b)(2), Dec. 1, 1990, 104 Stat. 5134.)

AMENDMENTS

1990—Pub. L. 101-650 substituted "120" for "119" in introductory provisions.

Pub. L. 101-318 substituted "119" for "118" in introductory provisions.

EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-650 applicable to any architectural work created on or after Dec. 1, 1990, and any architectural work, that, on Dec. 1, 1990, is unconstructed and embodied in unpublished plans or drawings, except that protection for such architectural work under this title terminates on Dec. 31, 2002, unless the work is constructed by that date, see section 706 of Pub. L. 101-650, set out as a note under section 101 of this title.

Section 3(e)(3) of Pub. L. 101-318 provided that: "The amendment made by subsection (d) [amending this section] shall be effective as of November 16, 1988."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106A, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 120, 201, 301, 501, 511, 602 of this title; title 2 section 170; title 18 section 2319.

§ 106A. Rights of certain authors to attribution and integrity

(a) RIGHTS OF ATTRIBUTION AND INTEGRITY.—Subject to section 107 and independent of the exclusive rights provided in section 106, the author of a work of visual art—

(1) shall have the right—

(A) to claim authorship of that work, and

(B) to prevent the use of his or her name as the author of any work of visual art which he or she did not create;

(2) shall have the right to prevent the use of his or her name as the author of the work of visual art in the event of a distortion, mutilation, or other modification of the work which would be prejudicial to his or her honor or reputation; and

(3) subject to the limitations set forth in section 113(d), shall have the right—

(A) to prevent any intentional distortion, mutilation, or other modification of that work which would be prejudicial to his or her honor or reputation, and any intentional distortion, mutilation, or modification of that work is a violation of that right, and

(B) to prevent any destruction of a work of recognized stature, and any intentional

or grossly negligent destruction of that work is a violation of that right.

(b) **SCOPE AND EXERCISE OF RIGHTS.**—Only the author of a work of visual art has the rights conferred by subsection (a) in that work, whether or not the author is the copyright owner. The authors of a joint work of visual art are coowners of the rights conferred by subsection (a) in that work.

(c) **EXCEPTIONS.**—(1) The modification of a work of visual art which is a result of the passage of time or the inherent nature of the materials is not a distortion, mutilation, or other modification described in subsection (a)(3)(A).

(2) The modification of a work of visual art which is the result of conservation, or of the public presentation, including lighting and placement, of the work is not a destruction, distortion, mutilation, or other modification described in subsection (a)(3) unless the modification is caused by gross negligence.

(3) The rights described in paragraphs (1) and (2) of subsection (a) shall not apply to any reproduction, depiction, portrayal, or other use of a work in, upon, or in any connection with any item described in subparagraph (A) or (B) of the definition of "work of visual art" in section 101, and any such reproduction, depiction, portrayal, or other use of a work is not a destruction, distortion, mutilation, or other modification described in paragraph (3) of subsection (a).

(d) **DURATION OF RIGHTS.**—(1) With respect to works of visual art created on or after the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, the rights conferred by subsection (a) shall endure for a term consisting of the life of the author.

(2) With respect to works of visual art created before the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, but title to which has not, as of such effective date, been transferred from the author, the rights conferred by subsection (a) shall be coextensive with, and shall expire at the same time as, the rights conferred by section 106.

(3) In the case of a joint work prepared by two or more authors, the rights conferred by subsection (a) shall endure for a term consisting of the life of the last surviving author.

(4) All terms of the rights conferred by subsection (a) run to the end of the calendar year in which they would otherwise expire.

(e) **TRANSFER AND WAIVER.**—(1) The rights conferred by subsection (a) may not be transferred, but those rights may be waived if the author expressly agrees to such waiver in a written instrument signed by the author. Such instrument shall specifically identify the work, and uses of that work, to which the waiver applies, and the waiver shall apply only to the work and uses so identified. In the case of a joint work prepared by two or more authors, a waiver of rights under this paragraph made by one such author waives such rights for all such authors.

(2) Ownership of the rights conferred by subsection (a) with respect to a work of visual art is distinct from ownership of any copy of that work, or of a copyright or any exclusive right under a copyright in that work. Transfer of

ownership of any copy of a work of visual art, or of a copyright or any exclusive right under a copyright, shall not constitute a waiver of the rights conferred by subsection (a). Except as may otherwise be agreed by the author in a written instrument signed by the author, a waiver of the rights conferred by subsection (a) with respect to a work of visual art shall not constitute a transfer of ownership of any copy of that work, or of ownership of a copyright or of any exclusive right under a copyright in that work.

(Added Pub. L. 101-650, title VI, § 603(a), Dec. 1, 1990, 104 Stat. 5128.)

REFERENCES IN TEXT

Section 610(a) of the Visual Artists Rights Act of 1990 [Pub. L. 101-650], referred to in subsec. (d), is set out as an Effective Date note below.

EFFECTIVE DATE

Section 610 of title VI of Pub. L. 101-650 provided that:

"(a) **IN GENERAL.**—Subject to subsection (b) and except as provided in subsection (c), this title [enacting this section, amending sections 101, 107, 113, 301, 411, 412, 501, and 506 of this title, and enacting provisions set out as notes under this section and section 101 of this title] and the amendments made by this title take effect 6 months after the date of the enactment of this Act [Dec. 1, 1990].

"(b) **APPLICABILITY.**—The rights created by section 106A of title 17, United States Code, shall apply to—

"(1) works created before the effective date set forth in subsection (a) but title to which has not, as of such effective date, been transferred from the author, and

"(2) works created on or after such effective date, but shall not apply to any destruction, distortion, mutilation, or other modification (as described in section 106A(a)(3) of such title) of any work which occurred before such effective date.

"(c) **SECTION 608.**—Section 608 [set out below] takes effect on the date of the enactment of this Act."

STUDIES BY COPYRIGHT OFFICE

Section 608 of Pub. L. 101-650 provided that:

"(a) **STUDY ON WAIVER OF RIGHTS PROVISION.**—

"(1) **STUDY.**—The Register of Copyrights shall conduct a study on the extent to which rights conferred by subsection (a) of section 106A of title 17, United States Code, have been waived under subsection (e)(1) of such section.

"(2) **REPORT TO CONGRESS.**—Not later than 2 years after the date of the enactment of this Act [Dec. 1, 1990], the Register of Copyrights shall submit to the Congress a report on the progress of the study conducted under paragraph (1). Not later than 5 years after such date of enactment, the Register of Copyrights shall submit to the Congress a final report on the results of the study conducted under paragraph (1), and any recommendations that the Register may have as a result of the study.

"(b) **STUDY ON RESEAL ROYALTIES.**—

"(1) **NATURE OF STUDY.**—The Register of Copyrights, in consultation with the Chair of the National Endowment for the Arts, shall conduct a study on the feasibility of implementing—

"(A) a requirement that, after the first sale of a work of art, a royalty on any resale of the work, consisting of a percentage of the price, be paid to the author of the work; and

"(B) other possible requirements that would achieve the objective of allowing an author of a work of art to share monetarily in the enhanced value of that work.

“(2) **GROUPS TO BE CONSULTED.**—The study under paragraph (1) shall be conducted in consultation with other appropriate departments and agencies of the United States, foreign governments, and groups involved in the creation, exhibition, dissemination, and preservation of works of art, including artists, art dealers, collectors of fine art, and curators of art museums.

“(3) **REPORT TO CONGRESS.**—Not later than 18 months after the date of the enactment of this Act [Dec. 1, 1990], the Register of Copyrights shall submit to the Congress a report containing the results of the study conducted under this subsection.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106A, 107, 113, 301, 411, 412, 501, 506 of this title.

§ 107. Limitations on exclusive rights: Fair use

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

[See main edition for text of (1) to (4)]

(As amended Pub. L. 101-650, title VI, § 607, Dec. 1, 1990, 104 Stat. 5132.)

AMENDMENTS

1990—Pub. L. 101-650 substituted “sections 106 and 106A” for “section 106” in introductory provisions.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-650 effective 6 months after Dec. 1, 1990, see section 610 of Pub. L. 101-650, set out as an Effective Date note under section 106A of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 106A, 108, 118, 501, 504, 511 of this title; title 18 section 2319.

§ 108. Limitations on exclusive rights: Reproduction by libraries and archives

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 501, 511, 602 of this title; title 2 section 170; title 18 section 2319.

§ 109. Limitations on exclusive rights: Effect of transfer of particular copy or phonorecord

[See main edition for text of (a)]

(b)(1)(A) Notwithstanding the provisions of subsection (a), unless authorized by the owners of copyright in the sound recording or the owner of copyright in a computer program (including any tape, disk, or other medium embodying such program), and in the case of a sound recording in the musical works embodied therein, neither the owner of a particular phonorecord nor any person in possession of a particular copy of a computer program (including any tape, disk, or other medium embodying such program), may, for the purposes of direct

or indirect commercial advantage, dispose of, or authorize the disposal of, the possession of that phonorecord or computer program (including any tape, disk, or other medium embodying such program) by rental, lease, or lending, or by any other act or practice in the nature of rental, lease, or lending. Nothing in the preceding sentence shall apply to the rental, lease, or lending of a phonorecord for nonprofit purposes by a nonprofit library or nonprofit educational institution. The transfer of possession of a lawfully made copy of a computer program by a nonprofit educational institution to another nonprofit educational institution or to faculty, staff, and students does not constitute rental, lease, or lending for direct or indirect commercial purposes under this subsection.

(B) This subsection does not apply to—

(i) a computer program which is embodied in a machine or product and which cannot be copied during the ordinary operation or use of the machine or product; or

(ii) a computer program embodied in or used in conjunction with a limited purpose computer that is designed for playing video games and may be designed for other purposes.

(C) Nothing in this subsection affects any provision of chapter 9 of this title.

(2)(A) Nothing in this subsection shall apply to the lending of a computer program for nonprofit purposes by a nonprofit library, if each copy of a computer program which is lent by such library has affixed to the packaging containing the program a warning of copyright in accordance with requirements that the Register of Copyrights shall prescribe by regulation.

(B) Not later than three years after the date of the enactment of the Computer Software Rental Amendments Act of 1990, and at such times thereafter as the Register of Copyright considers appropriate, the Register of Copyrights, after consultation with representatives of copyright owners and librarians, shall submit to the Congress a report stating whether this paragraph has achieved its intended purpose of maintaining the integrity of the copyright system while providing nonprofit libraries the capability to fulfill their function. Such report shall advise the Congress as to any information or recommendations that the Register of Copyrights considers necessary to carry out the purposes of this subsection.

(3) Nothing in this subsection shall affect any provision of the antitrust laws. For purposes of the preceding sentence, “antitrust laws” has the meaning given that term in the first section of the Clayton Act and includes section 5 of the Federal Trade Commission Act to the extent that section relates to unfair methods of competition.

(4) Any person who distributes a phonorecord or a copy of a computer program (including any tape, disk, or other medium embodying such program) in violation of paragraph (1) is an infringer of copyright under section 501 of this title and is subject to the remedies set forth in sections 502, 503, 504, 505, and 509. Such violation shall not be a criminal offense under section 506 or cause such person to be subject to

the criminal penalties set forth in section 2319 of title 18.

[See main edition for text of (c) and (d)]

(e) Notwithstanding the provisions of sections 106(4) and 106(5), in the case of an electronic audiovisual game intended for use in coin-operated equipment, the owner of a particular copy of such a game lawfully made under this title, is entitled, without the authority of the copyright owner of the game, to publicly perform or display that game in coin-operated equipment, except that this subsection shall not apply to any work of authorship embodied in the audiovisual game if the copyright owner of the electronic audiovisual game is not also the copyright owner of the work of authorship.

(As amended Pub. L. 101-650, title VIII, §§ 802, 803, Dec. 1, 1990, 104 Stat. 5134, 5135.)

REFERENCES IN TEXT

The date of the enactment of the Computer Software Rental Amendments Act of 1990, referred to in subsec. (b)(2)(B), is the date of enactment of Pub. L. 101-650, which was approved Dec. 1, 1990.

The first section of the Clayton Act, referred to in subsec. (b)(3), is classified to section 12 of Title 15, Commerce and Trade.

Section 5 of the Federal Trade Commission Act, referred to in subsec. (b)(3), is classified to section 45 of Title 15.

AMENDMENTS

1990—Subsec. (b)(1). Pub. L. 101-650, § 802(2), added par. (1) and struck out former par. (1) which read as follows: "Notwithstanding the provisions of subsection (a), unless authorized by the owners of copyright in the sound recording and in the musical works embodied therein, the owner of a particular phonorecord may not, for purposes of direct or indirect commercial advantage, dispose of, or authorize the disposal of, the possession of that phonorecord by rental, lease, or lending, or by any other act or practice in the nature of rental, lease, or lending. Nothing in the preceding sentence shall apply to the rental, lease, or lending of a phonorecord for nonprofit purposes by a nonprofit library or nonprofit educational institution."

Subsec. (b)(2), (3). Pub. L. 101-650, § 802(1), (2), added par. (2) and redesignated former pars. (2) and (3) as (3) and (4), respectively.

Subsec. (b)(4). Pub. L. 101-650, § 802(3), added par. (4) and struck out former par. (4) which read as follows: "Any person who distributes a phonorecord in violation of clause (1) is an infringer of copyright under section 501 of this title and is subject to the remedies set forth in sections 502, 503, 504, 505, and 509. Such violation shall not be a criminal offense under section 506 or cause such person to be subject to the criminal penalties set forth in section 2319 of title 18."

Pub. L. 101-650, § 802(1), redesignated par. (3) as (4). Subsec. (e). Pub. L. 101-650, § 803, added subsec. (e).

EFFECTIVE DATE OF 1990 AMENDMENT

Section 804 of title VIII of Pub. L. 101-650 provided that:

"(a) IN GENERAL.—Subject to subsection (b), this title [amending this section and enacting provisions set out as notes under sections 101 and 205 of this title] and the amendments made in section 802 [amending this section] shall take effect on the date of the enactment of this Act [Dec. 1, 1990]. The amendment made by section 803 [amending this section] shall take effect one year after such date of enactment.

"(b) PROSPECTIVE APPLICATION.—Section 109(b) of title 17, United States Code, as amended by section 802

of this Act, shall not affect the right of a person in possession of a particular copy of a computer program, who acquired such copy before the date of the enactment of this Act [Dec. 1, 1990], to dispose of the possession of that copy on or after such date of enactment in any manner permitted by section 109 of title 17, United States Code, as in effect on the day before such date of enactment.

"(c) TERMINATION.—The amendments made by section 802 shall not apply to rentals, leaseings, or lendings (or acts or practices in the nature of rentals, leaseings, or lendings) occurring on or after October 1, 1997. The amendments made by section 803 shall not apply to public performances or displays that occur on or after October 1, 1995."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 501, 511 of this title; title 18 section 2319.

§ 110. Limitations on exclusive rights: Exemption of certain performances and displays

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 111, 112, 118, 501, 511 of this title; title 18 section 2319.

§ 111. Limitations on exclusive rights: Secondary transmissions

[See main edition for text of (a) and (b)]

(c) SECONDARY TRANSMISSIONS BY CABLE SYSTEMS.—

[See main edition for text of (1)]

(2) Notwithstanding the provisions of clause (1) of this subsection, the willful or repeated secondary transmission to the public by a cable system of a primary transmission made by a broadcast station licensed by the Federal Communications Commission or by an appropriate governmental authority of Canada or Mexico and embodying a performance or display of a work is actionable as an act of infringement under section 501, and is fully subject to the remedies provided by sections 502 through 506 and 509, in the following cases:

[See main edition for text of (A)]

(B) where the cable system has not deposited the statement of account and royalty fee required by subsection (d).

[See main edition for text of (3) and (4)]

(d) COMPULSORY LICENSE FOR SECONDARY TRANSMISSIONS BY CABLE SYSTEMS.—

[See main edition for text of (1)]

(2) The Register of Copyrights shall receive all fees deposited under this section and, after deducting the reasonable costs incurred by the Copyright Office under this section, shall deposit the balance in the Treasury of the United States, in such manner as the Secretary of the Treasury directs. All funds held by the Secretary of the Treasury shall be invested in interest-bearing United States securities for later distribution with interest by the Copyright Royalty Tribunal as provided by this title. The Register shall submit to the

Copyright Royalty Tribunal, on a semiannual basis, a compilation of all statements of account covering the relevant six-month period provided by clause (1) of this subsection.

(3) The royalty fees thus deposited shall, in accordance with the procedures provided by clause (4), be distributed to those among the following copyright owners who claim that their works were the subject of secondary transmissions by cable systems during the relevant semiannual period:

[See main edition for text of (A)]

(B) any such owner whose work was included in a secondary transmission identified in a special statement of account deposited under clause (1)(A);

[See main edition for text of (C), (4); (e) and (f)]

(As amended Pub. L. 101-318, § 3(a), July 3, 1990, 104 Stat. 288.)

AMENDMENTS

1990—Subsec. (c)(2)(B). Pub. L. 101-318, § 3(a)(1), struck out “recorded the notice specified by subsection (d) and” after “where the cable system has not”.

Subsec. (d)(2). Pub. L. 101-318, § 3(a)(2)(A), substituted “clause (1)” for “paragraph (1)”.

Subsec. (d)(3). Pub. L. 101-318, § 3(a)(2)(B), substituted “clause (4)” for “clause (5)” in introductory provisions.

Subsec. (d)(3)(B). Pub. L. 101-318, § 3(a)(2)(C), substituted “clause (1)(A)” for “clause (2)(A)”.

1986—Subsec. (d). Pub. L. 99-397, § 2(a)(1), (4), (5), substituted “paragraph (1)” for “clause (2)” in par. (3), struck out par. (1) which related to recordation of notice with Copyright Office by cable systems in order for secondary transmissions to be subject to compulsory licensing, and redesignated pars. (2) to (5) as (1) to (4), respectively.

Pub. L. 99-397, § 2(a)(2), (3), which directed the amendment of subsec. (d) by substituting “paragraph (4)” for “clause (5)” in pars. (2) and (2)(B) could not be executed because pars. (2) and (2)(B) did not contain references to “clause (5)”. See 1990 Amendment note above.

EFFECTIVE DATE OF 1990 AMENDMENT

Section 3(e)(1) of Pub. L. 101-318 provided that: “The amendments made by subsections (a) and (b) [amending this section and section 801 of this title] shall be effective as of August 27, 1986.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 110, 119, 501, 510, 511, 801, 804, 809 of this title; title 18 section 2319.

§ 112. Limitations on exclusive rights: Ephemeral recordings

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 501, 511 of this title; title 18 section 2319.

§ 113. Scope of exclusive rights in pictorial, graphic, and sculptural works

[See main edition for text of (a) to (c)]

(d)(1) In a case in which—

(A) a work of visual art has been incorporated in or made part of a building in such a way that removing the work from the building will cause the destruction, distortion, mutila-

tion, or other modification of the work as described in section 106A(a)(3), and

(B) the author consented to the installation of the work in the building either before the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, or in a written instrument executed on or after such effective date that is signed by the owner of the building and the author and that specifies that installation of the work may subject the work to destruction, distortion, mutilation, or other modification, by reason of its removal,

then the rights conferred by paragraphs (2) and (3) of section 106A(a) shall not apply.

(2) If the owner of a building wishes to remove a work of visual art which is a part of such building and which can be removed from the building without the destruction, distortion, mutilation, or other modification of the work as described in section 106A(a)(3), the author's rights under paragraphs (2) and (3) of section 106A(a) shall apply unless—

(A) the owner has made a diligent, good faith attempt without success to notify the author of the owner's intended action affecting the work of visual art, or

(B) the owner did provide such notice in writing and the person so notified failed, within 90 days after receiving such notice, either to remove the work or to pay for its removal.

For purposes of subparagraph (A), an owner shall be presumed to have made a diligent, good faith attempt to send notice if the owner sent such notice by registered mail to the author at the most recent address of the author that was recorded with the Register of Copyrights pursuant to paragraph (3). If the work is removed at the expense of the author, title to that copy of the work shall be deemed to be in the author.

(3) The Register of Copyrights shall establish a system of records whereby any author of a work of visual art that has been incorporated in or made part of a building, may record his or her identity and address with the Copyright Office. The Register shall also establish procedures under which any such author may update the information so recorded, and procedures under which owners of buildings may record with the Copyright Office evidence of their efforts to comply with this subsection.

(As amended Pub. L. 101-650, title VI, § 604, Dec. 1, 1990, 104 Stat. 5130.)

REFERENCES IN TEXT

Section 610(a) of the Visual Artists Rights Act of 1990 [Pub. L. 101-650], referred to in subsec. (d)(1)(B), is set out as an Effective Date note under section 106A of this title.

AMENDMENTS

1990—Subsec. (d). Pub. L. 101-650 added subsec. (d).

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-650 effective 6 months after Dec. 1, 1990, see section 610 of Pub. L. 101-650, set out as an Effective Date note under section 106A of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 106A, 301, 501, 511 of this title; title 18 section 2319.

§ 114. Scope of exclusive rights in sound recordings**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 106, 112, 501, 511 of this title; title 18 section 2319.

§ 115. Scope of exclusive rights in nondramatic musical works: Compulsory license for making and distributing phonorecords**EFFECTIVE DATE OF 1984 AMENDMENT**

Amendment by Pub. L. 98-450 effective Oct. 4, 1984, but not applicable to rentals, leaseings, lendings (or acts or practices in the nature of rentals, leaseings, or lendings) occurring 13 years after Oct. 4, 1984, see section 4 of Pub. L. 98-450, as amended, set out as a note under section 109 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 106, 501, 511, 708, 801, 804 of this title; title 18 section 2319.

§ 116. Scope of exclusive rights in nondramatic musical works: Compulsory licenses for public performances by means of coin-operated phonorecord players**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 106, 116A, 501, 511, 801, 804, 809 of this title; title 18 section 2319.

§ 116A. Negotiated licenses for public performances by means of coin-operated phonorecord players**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 116, 511, 801, 804 of this title.

§ 117. Limitations on exclusive rights: Computer programs**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 106, 501, 511 of this title; title 18 section 2319.

§ 118. Scope of exclusive rights: Use of certain works in connection with noncommercial broadcasting**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 106, 114, 501, 504, 511, 801, 804 of this title; title 18 section 2319.

§ 119. Limitations on exclusive rights: Secondary transmissions of superstations and network stations for private home viewing**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 106, 111, 501, 511, 801, 804 of this title; title 47 section 613.

§ 120. Scope of exclusive rights in architectural works

(a) **PICTORIAL REPRESENTATIONS PERMITTED.**—The copyright in an architectural work that has been constructed does not include the right to prevent the making, distributing, or public display of pictures, paintings, photographs, or other pictorial representations of the work, if the building in which the work is embodied is located in or ordinarily visible from a public place.

(b) **ALTERATIONS TO AND DESTRUCTION OF BUILDINGS.**—Notwithstanding the provisions of section 106(2), the owners of a building embodying an architectural work may, without the consent of the author or copyright owner of the architectural work, make or authorize the making of alterations to such building, and destroy or authorize the destruction of such building.

(Added Pub. L. 101-650, title VII, § 704(a), Dec. 1, 1990, 104 Stat. 5133.)

EFFECTIVE DATE

Section applicable to any architectural work created on or after Dec. 1, 1990, and any architectural work, that, on Dec. 1, 1990, is unconstructed and embodied in unpublished plans or drawings, except that protection for such architectural work under this title terminates on Dec. 31, 2002, unless the work is constructed by that date, see section 706 of Pub. L. 101-650, set out as an Effective Date of 1990 Amendment note under section 101 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 106 of this title.

CHAPTER 2—COPYRIGHT OWNERSHIP AND TRANSFER**§ 205. Recordation of transfers and other documents****RECORDATION OF SHAREWARE**

Pub. L. 101-650, title VIII, § 805, Dec. 1, 1990, 104 Stat. 5136, provided that:

“(a) **IN GENERAL.**—The Register of Copyrights is authorized, upon receipt of any document designated as pertaining to computer shareware and the fee prescribed by section 708 of title 17, United States Code, to record the document and return it with a certificate of recordation.

“(b) **MAINTENANCE OF RECORDS; PUBLICATION OF INFORMATION.**—The Register of Copyrights is authorized to maintain current, separate records relating to the recordation of documents under subsection (a), and to compile and publish at periodic intervals information relating to such recordations. Such publications shall be offered for sale to the public at prices based on the cost of reproduction and distribution.

“(c) **DEPOSIT OF COPIES IN LIBRARY OF CONGRESS.**—In the case of public domain computer software, at the election of the person recording a document under subsection (a), 2 complete copies of the best edition (as defined in section 101 of title 17, United States Code) of the computer software as embodied in machine-readable form may be deposited for the benefit of the Machine-Readable Collections Reading Room of the Library of Congress.

“(d) **REGULATIONS.**—The Register of Copyrights is authorized to establish regulations not inconsistent with law for the administration of the functions of the Register under this section. All regulations established by the Register are subject to the approval of the Librarian of Congress.”

CHAPTER 3—DURATION OF COPYRIGHT**§ 301. Preemption with respect to other laws**

[See main edition for text of (a)]

(b) Nothing in this title annuls or limits any rights or remedies under the common law or statutes of any State with respect to—

[See main edition for text of (1)]